

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

JESSE CHARLES LAY

S.S. No.: xxx-xx-2665

Mailing Address: 500 GUY WLKER WAY, Durham, NC 27703-

Case No. 10-80953

Debtor.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on May 28, 2010.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: July 7, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtor
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

**CH. 13 PLAN - DEBTS SHEET
(MIDDLE DISTRICT - DESARDI VERSION)**

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN			
	Creditor Name	Sch D #	Description of Collateral
Retain	Golds Gym		Gym Membership
	Sprint		Cellular Service

LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS					
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Acct
				N/A	
				N/A	
	HOA	3	\$47	N/A	
				N/A	

STD - SECURED DEBITS a FMS

	Creditor Name
	910-The Money Store
Retain	

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$2,500
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		\$7,764
State Taxes		\$7,980
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount**
DMI=	\$1,916	\$114,960

Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

Date:	4/14/10
Lastname-SS#:	Lay-2665

SURRENDER COLLATERAL	
Creditor Name	Description of Collateral

Inadequate Protection	Minimum Equal Payment	Description of Collateral
n/a		
n/a		
n/a	\$47.00	Residence
n/a		

Inadequate Protection	Minimum Equal Payment	Description of Collateral

PROPOSED CHAPTER 13 PLAN PAYMENT

\$2,514	per month for	60	months, then
N/A	per month for	N/A	months.

Adequate Protection Payment Period: **1.06** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

[†] = May include up to 2 post-petition payments.

* Co-sign protect on all debts so designated on the filed schedules.

** = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan_MD_(DeSardi Version 1/12/10) © LOMTO

CERTIFICATE OF SERVICE

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s WILLIAM MCDONALD
WILLIAM MCDONALD

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	Internal Revenue Service (ED)** Post Office Box 21126 Philadelphia, PA 19114-0326	Citimortgage, Inc.**** Post Office Box 9438 Gaithersburg, MD 20898-9438
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Credit Bureau of Greensboro** Post Office Box 26140 Greensboro, NC 27402-0040
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	1st National Credit Card 500 East 60th Street North Sioux Falls, SD 57104	Credit Collection Services Two Wells Avenue Dept. 9136 Newton Center, MA 02459
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	Accounts Receivable Management, Inc P.O. Box 561 Thorofare, NJ 08086-0561	Credit Financial Services Post Office Box 530 Durham, NC 27702-0530
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Arrow Financial Services, LLC 5996 West Touhy Avenue Niles, IL 60714	Credit Financial Services Post Office Box 451 Durham, NC 27702-0451
Experian P.O. Box 2002 Allen, TX 75013-2002	Bank of America 450 American Street Simi Valley, CA 93065	Credit Management, LP 4200 International Parkway Carrollton, TX 75007-1906
Innovis Data Solutions Attn: Consumer Assistance P.O. Box 1534 Columbus, OH 43216-1534	Bank of America Loans Servicing 7105 Corporate Drive Plano, TX 75024-4100	Durham County Tax Collector Post Office Box 3397 Durham, NC 27701
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Capital One Post Office Box 85015 Richmond, VA 23285-5075	Enhanced Recovery 10550 Deerwood Park Blvd Suite 600 Jacksonville, FL 32256
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Citibank ** Post Office Box 6500 Sioux Falls, SD 57117-6500	Enterprise Leasing Co Southeast 5715 Westpark Drive Ste 200 Charlotte, NC 28217-3564

First Premier Bank
3820 North Louise Avenue
Sioux Falls, SD 57107-0145

NCO Financial
P.O. Box 41466
Philadelphia, PA 19101

The Money Shoppe
211 N. Graham Street
P.O. Box 1012
Graham, NC 27253

Golds Gym
4700 Emperor Blvd
Durham, NC 27703

North Carolina Department of Revenue
c/o Reginald S. Hinton
Post Office Box 25000
Raleigh, NC 27640-5000

Tidewater

Grove Park HOA
300 Nichols Farm Road
Durham, NC 27703

North Carolina Dept of Revenue**
Post Office Box 1168
Raleigh, NC 27602-1168

Tidewater Credit Services
Post Office Box 13306
Chesapeake, VA 23325

HSBC Card Services **
Post Office Box 5250
Carol Stream, IL 60197-5222

Portfolio Recovery Associates ***
120 Corporate Boulevard
Ste. 100
Norfolk, VA 23502

Time Warner Cable
Attn: Collections
2505 Atlantic Avenue
Raleigh, NC 27604

Internal Revenue Service (MD)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Sprint Nextel-Correspondence*****
Attn: Bankruptcy Department
Post Office Box 7949
Overland Park, KS 66207-0949

United Recovery Systems, Inc.
5800 North Course Drive
Houston, TX 77072-1613

John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

State Employees Credit Union ***
Attn: Bankruptcy Department
P.O. Box 25279
Raleigh, NC 27611

U\$ Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

Kross, Lieberman and Stone, Inc.
Post Office Box 17449
Raleigh, NC 27619-7449

SunTrust DDA Recovery Dept
Post Office Box 26150/VA-RIC-9394
Richmond, VA 23260-6150

Veterans Administration (Middle)**
Regional Office
251 North Main Street
Winston-Salem, NC 27155

Navy Federal Credit Union
One Security Place
Merrifield, VA 22119-0001

Tate & Kirlin Associates
2810 Southampton Road
Philadelphia, PA 19154

Wake Radiology Diagnostic Imaging
Post Office Box 19368
Raleigh, NC 27619-9368

NCO Fin/99
Post Office Box 41466
Philadelphia, PA 19101

The Money Shoppe
211 N. Graham Street
Graham, NC 27253